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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **OAKLAND DIVISION**

11 JOSHUA SIMON, DAVID BARBER, AND)
12 JOSUE BONILLA, INDIVIDUALLY AND ON)
13 BEHALF OF ALL OTHERS SIMILARLY)
14 SITUATED, DIANA BLOCK, AN)
15 INDIVIDUAL AND COMMUNITY)
16 RESOURCE INITIATIVE, AN)
17 ORGANIZATION,)

18 Plaintiffs,

19 v.

20 CITY AND COUNTY OF SAN FRANCISCO,)
21 PAUL MIYAMOTO, IN HIS OFFICIAL)
22 CAPACITY AS SAN FRANCISCO SHERIFF,)
23)

24 Defendants.
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CASE NO.: 4:22-cv-05541-JST

**[PROPOSED] ORDER GRANTING
MOTION FOR PRELIMINARY
INJUNCTION**

Date: January 12, 2023

Time: 2:00 p.m.

Place: Courtroom 6

Judge: Hon. Jon S. Tigar

1 Before the court is Plaintiffs Joshua Simon, David Barber, and Josue Bonilla's
2 ("Plaintiffs") Motion for Preliminary Injunction ("Motion").

3 The Court, having considered the briefs and other documents in support of and in
4 opposition to Plaintiffs' Motion, and the arguments of counsel, hereby GRANTS Plaintiffs'
5 Motion.

6 It is therefore ORDERED that Defendants City and County of San Francisco and Paul
7 Miyamoto, in his official capacity as San Francisco Sheriff ("Defendants"), and Defendants'
8 successors-in-interest, agents, principals, officers, servants, employees, and attorneys, and those
9 persons or parties in active concert or participation with them who receive actual notice of this
10 order by personal service or otherwise, are preliminarily enjoined from imposing and enforcing
11 Rules 5 and 13 of the Sheriff's Electronic Monitoring Program Rules until the entry of final
12 Judgment in this action or until further order of this Court.

13 Defendants shall (1) within seven business days of the date of this order, cease the
14 enforcement of Rules 5 and 13 and (2) within ten business days from the date of this order, file
15 with the Court and serve on Plaintiffs a report in writing and under oath setting forth in detail the
16 manner and form in which Defendants have complied with the preliminary injunction.

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18 **IT IS SO ORDERED.**

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20 Dated:

The Honorable Jon S. Tigar
United States District Court Judge